

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

LYON FINANCIAL SERVICES, INC.,

Plaintiff,

vs.

Case No. 10-cv-565-JPG

THE VOGLER LAW FIRM, P.C.,
VINCENT D. VOGLER, ANTHONY K.
REINER, ANYTHONY K. REINER, LLC,
and EDWARD RADETIC,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff Lyon Financial Services, Inc.'s ("Lyon") Notice of Voluntary Dismissal (Doc. 23). Specifically, Lyon seeks to dismiss all claims against Defendant Anthony K. Reiner, LLC ("Reiner LLC") without prejudice.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff has an absolute right to dismiss an action against an adverse party at any time before said party serves either an answer or a motion for summary judgment, whichever first occurs. Here, Reiner LLC has yet to file either an answer or a motion for summary judgment. Accordingly, the Court acknowledges that this matter is at an end insofar as it relates to Reiner LLC. Further, the Court **DIRECTS** the Clerk to terminate Reiner LLC as a defendant and enter judgment accordingly at the close of this case.

IT IS SO ORDERED
DATED: September 23, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE